

REMARKS

In response to the Official Action mailed April 7, 2004, Applicant amends his application and requests reconsideration. In this Amendment, no claims are added or canceled so that claims 1-12 remain pending. No new matter has been added.

Claims 7-12 are allowed.

Claim 1 is amended to clarify the invention. Amended claim 1 now recites that the building structural member is disposed within a range of vertical movement of the elevator car (see Figure 2 of the patent application).

The Official Action objected to the specification for containing a non-descriptive title. Applicant has already once amended the title at the request of an Official Action. Applicant respectfully submits that the title is adequately descriptive, and is at least as descriptive, if not more so, than the titles of references cited by the Official Action. Accordingly, a new title is not supplied.

The Official Action rejected claims 1-6 as anticipated by Aulanko et al. (EP 631,966, hereinafter Aulanko). That rejection is respectfully traversed.

Aulanko fails to teach every limitation of amended claim 1. Namely, Aulanko fails to teach the protrusion of amended claim 1 *being at least one member selected from the group consisting of a landing floor door mechanism and a building structural member for supporting a landing floor sill*. The Official Action asserts that landing door 17, bracket 22, or structural beam 16 of Aulanko satisfies this limitation. However, Figure 4a of Aulanko clearly shows that landing door 17 does not project into the hoistway, as in amended claim 1. Furthermore, structural beam 16 is not disposed within a range of movement of the vertical moving member (see Figure 4a of Aulanko). Applicant finds no mention of bracket 22. However, Applicant observes that Aulanko shows neither a landing door mechanism projecting into the hoistway, nor a structural member disposed within a range of movement of the vertical moving member (see Figure 4a of Aulanko). Accordingly, Aulanko cannot teach every limitation of amended claim 1. Thus, the rejection must be withdrawn.

Moreover, with respect to claims 5 and 6, Applicant notes that control panel 8 does not project into the hoistway at least as far structural beam 16, which spans the entire breadth of the hoistway (see Figure 4a of Aulanko). Since landing door 17 does not project into the hoistway at all, Aulanko discloses nothing that can teach every limitation of claims 5 and 6.

The Official Action rejected claims 1, 2, 4 and 5 as anticipated by Namba et al. (6,230,846, hereinafter Namba). That rejection is respectfully traversed.

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Namba also fails to teach every limitation of amended claim 1. Namely, Namba fails to teach the protrusion of amended claim 1 *being at least one member selected from the group consisting of a landing floor door mechanism and a building structural member for supporting a landing floor sill*. The Official Action asserts that arms 8, landing plates 9, and proximity switch 10 satisfy this limitation. However, the arms 8, landing plates 9, and proximity switch 10 are not building structural members within the context of the application. Those elements are clearly attached to the hoistway, and thus cannot be construed as a building structural member since they provide structure only to the elevator, and not to the surrounding building (see Figure 5 of Namba). Moreover, Namba does not show a landing door mechanism that projects into the hoistway from the same face upon which the control panel is disposed (see Figure 5 of Namba). Accordingly, Namba cannot teach every limitation of amended claim 1. Thus, the rejection should be withdrawn.

The Official Action rejected claims 1, 2, and 4-6 as anticipated by Kurosawa (JP 11-060117, hereinafter Kurosawa)¹. That rejection is respectfully traversed.

Kurosawa also fails to teach every limitation of amended claim 1. Namely, Kurosawa fails to teach the protrusion of amended claim 1 *being at least one member selected from the group consisting of a landing floor door mechanism and a building structural member for supporting a landing floor sill*. The Official Action asserts that control panel holding member 13 of Kurosawa satisfies this limitation of amended claim 1. However, holding member 13 is not disposed within a range of movement of the vertical moving member, as required by claim 1 (see Figures 3 and 4 of Kurosawa). Moreover, Kurosawa does not show a landing door mechanism projecting into the hoistway (see Figure 3 of Kurosawa). Accordingly, Kurosawa cannot teach every limitation of amended claim 1. Thus, the rejection should be withdrawn.

¹ Kurosawa, like any other published foreign patent application cannot be prior art pursuant to 35 USC 102(e), the subsection relied upon by the Examiner. It is assumed that the Examiner intended to rely on a different subsection of 35 USC 102.

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Reconsideration and withdrawal of the rejections are earnestly solicited.

Respectfully submitted,



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AWF:tps

Amendment or ROA - Regular (Revised 9/03/03)